

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA) Case No. 1:15-mj-98
)
vs.)
)
SHONTAVIS MORGAN) JUDGE CARTER

MEMORANDUM AND ORDER

In accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure and in accordance with the Bail Reform Act, 18 United States Code § 3142(f), the initial appearance was held on April 10, 2015, and the detention hearing was held in this action on April 16, 2015. Those present included:

- (1) An Asst. U.S. Attorney (AUSA) for the Government.
- (2) The defendant.
- (3) Attorney Dan Ripper for defendant.

Upon being sworn the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

The defendant acknowledged he had received a copy of the Criminal Complaint. It was determined he was capable of being able to read and understand these proceedings.

The AUSA moved the court the defendant be detained without bail. The defendant asked for time to prepare for his preliminary hearing and detention hearing. The Court scheduled those hearings for April 16, 2015. At the April 16, 2015 hearing, the defendant waived his preliminary hearing.

Detention Hearing - Proof

The AUSA called TBI Special Agent Mark Delaney as a witness. He testified to the facts outlined in the affidavit attached to the criminal complaint.

Findings

Having considered the sworn affidavit of Agent Delaney and defendant's waiver of preliminary hearing, the undersigned finds:

- (1) There is probable cause to believe that there have been violations of 18 U.S.C. § 922(g)(1), possession of a firearm by a convicted felon; and 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(A), possession with intent to distribute and conspiracy to distribute 50 grams or more of methamphetamine (actual), committed in the Eastern District of Tennessee.
- (2) There is probable cause to believe the defendant committed the aforesaid offenses.
- (3) The proof the defendant committed the aforesaid offenses is strong.
- (4) There are no conditions nor are there any combinations of conditions which will reasonably assure the safety of the community or the presence of the defendant at future hearings.

Conclusions

It is ORDERED:

- (1) The defendant is held to answer the charges against him in the District Court.
- (2) The AUSA's motion to detain the defendant without bail is GRANTED for reasons set out in the separate ORDER OF DETENTION PENDING TRIAL filed with this order.
- (3) The defendant's next appearance shall be before a U.S. Magistrate Judge at **2:30 pm on Thursday, April 30, 2015**.

ENTER.

S /William B. Mitchell Carter
UNITED STATES MAGISTRATE JUDGE